

Applicants: Chobotov, et al.
Application No.: 10/640,368
Response to Election Requirement dated November 16, 2006
Election Requirement dated September 18, 2006
Docket No.: 760-235 DIV
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REMARKS

This application is subject to an election requirement. The Examiner alleges that the claims are directed towards the following distinct species:

- I. A method of securing the flap to flexible material,
 - a) adhesive
 - b) thermo mechanical

- II Member configuration:
 - a) transversely oriented
 - b) circumferentially oriented
 - c) expandable.

Applicants provisionally elect species I (b) and II (a), i.e., I. a method of securing the flap to flexible material, (b) thermo mechanical; II. member configuration, (a) transversely oriented.

Applicants respectfully submit that claims 38, 39, 41-43, 45, 47, 48-51, 53, 62 and 63 read on Species I (b), II (a) as defined by the Examiner. Claims 62, 47, 48-51 and 53 are generic.

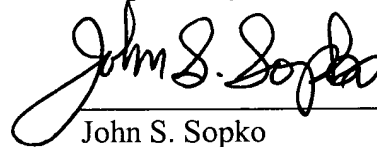
Furthermore, Applicants respectfully submit that any of the claims 46 and 54 that are directed to a non-elected species depend from the generic claim 62. Upon indication of allowance of the generic claim, Applicants respectfully request allowance of the claims directed towards the non-elected species.

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The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R. § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Should the Examiner have any questions, the Examiner is respectfully invited to contact the undersigned attorney at the telephone number set forth below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John S. Sopko", is written over a horizontal line.

John S. Sopko
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